

ALEX G. TSE (CABN 152348)
United States Attorney

BARBARA J. VALLIERE (DCBN 439353)
Chief, Criminal Division

BRIGID S. MARTIN (CABN 231705)
Assistant United States Attorneys

1301 Clay Street, Suite 340S
Oakland, California 94612
Telephone: (510) 637-3680
FAX: (510) 637-3724
Brigid.Martin@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 12-00327 SBA
)	
Plaintiffs,)	
)	[PROPOSED] ORDER
v.)	
)	
KHADIJA THOMPSON,)	
)	
Defendant.)	

Defendant Khadija Thompson made her initial appearance before the Magistrate Court on October 2, 2018, on the charges set forth in the Petition for Summons filed November 8, 2017 (“the Petition” or “the Form 12”). After hearing arguments from both the government and the defense, the Court ordered that defendant be detained until the parties’ next scheduled appearance of October 23, 2018, for a status hearing regarding detention and possible arraignment on anticipated amendments to the Petition. The Court noted that defendant failed to appear pursuant to the Summons issued on the Petition, which ordered the defendant to make an initial appearance before the duty Magistrate Judge on November 30, 2017. The Court further noted that defendant’s whereabouts have been unknown since November 2017, despite an arrest warrant having been issued on December 6, 2017, after the

1 defendant's failure to appear. The defendant's failure to appear may be a result, at least in part, of the
2 defendant being in custody for criminal conduct not referenced in the Petition. The Court ordered that
3 the Probation Officer investigate defendant's whereabouts since the issuance of the Form 12, and amend
4 the Form 12 if any further charges are warranted. The Court also noted that the Petition documents
5 defendant's prior failure to appear on a previous Form 12 dating from January 2014. Defense counsel
6 requested that the defendant be released to a halfway house where the defendant has previously
7 resided. The Probation Officer recommended defendant's detention, at least until more information is
8 known regarding the defendant's whereabouts and activity since November 2017. Following argument
9 from both parties and the Probation Officer, the Court found that on the current record the defendant
10 cannot meet her burden of demonstrating that she is not a danger or a flight risk, and ordered the
11 defendant detained pending further proceedings on October 23, 2018.

12 For the reasons discussed on the record and further memorialized in this Order, the Court finds
13 that defendant has not met her burden under 18 U.S.C. § 3143(a)(1) and Federal Rule of Criminal
14 Procedure 32.1(a)(6), of demonstrating that she is not a flight risk or a danger, without prejudice to the
15 defendant further contesting detention at a future date should more facts or evidence be presented to the
16 Court. The parties are ordered to appear on October 23, 2018, for a status appearance regarding
17 detention and possible arraignment on any new charges in an Amended Petition.

18 IT IS SO ORDERED.

19
20 DATED: 10/3/18


HONORABLE KANDIS A. WESTMORE
UNITED STATES MAGISTRATE JUDGE